

CCS HCS SCS SB 765 -- PUBLIC SAFETY

This bill modifies provisions relating to public safety.

POLITICAL ACTIVITY OF FIRST RESPONDERS (Section 67.145, RSMo)

This bill inserts a new definition for the term "first responder" as it applies to restricting the political activity of first responders.

REGIONAL JAIL DISTRICTS (Section 221.407)

Currently, regional jail districts are authorized to impose a sales tax of up to .5% on sales in the district. The authority to impose this tax expires on September 30, 2015. This bill extends the authority of the districts to collect the tax until September 30, 2028. This bill also allows the Director of Revenue to make refunds instead of allowing the Director of Revenue to authorize the State Treasurer to make refunds.

TRAFFIC TICKET QUOTAS (Sections 304.125 and 575.320)

This bill prohibits a political subdivision or law enforcement agency from having a policy requiring or encouraging an employee to issue a certain number of traffic citations on a quota basis. The bill specifies that these provisions do not apply to the issuance of warning citations.

Currently, a public servant commits the class A misdemeanor of misconduct in administration of justice if he or she orders a St. Louis County employee to issue a certain number of traffic citations except when the employee is assigned exclusively to traffic control and has no other responsibilities or duties. This bill adds employees of any political subdivision, not just St. Louis County. In addition, the bill removes the exception for employees assigned exclusively to traffic control and specifies that a public servant also commits the misdemeanor by ordering an employee to increase the number of tickets the employee is issuing.

MOBILE VIDEO RECORDINGS (Section 610.100)

Mobile video recordings from a law enforcement vehicle or a device carried by a law enforcement officer that includes a camera and recording capability are considered a closed record until the investigation becomes inactive. A mobile video recording in a nonpublic location may be closed, except that any person depicted in the recording or certain other persons may obtain a complete, unaltered and unedited copy of the recording.

The bill adds legal guardians or parents of a minor as being able to obtain closed investigative or mobile video records in the same way that any person could obtain such records.

Any person may bring an action to authorize disclosure of a mobile video recording and the court may order that all or part of the recording be released to the person. In making its determination on release, the court must consider specified factors, including the benefit to the public as opposed to the harm to the public, to the law enforcement agency or its officers, or to any person identified in the recording. The mobile video recording may be examined by the court in its chambers. If disclosure of either a mobile video recording or an investigative report is authorized, the court may make any order that justice requires and set forth conditions for or limitations on the disclosure as specified.

The bill provides that any person who requests and receives a mobile video recording that was recorded in a nonpublic location is prohibited from displaying or disclosing the recording without first affording any non-law enforcement person whose image or sound is contained in the recording the opportunity to seek a court order enjoining all or some of the display or disclosure. Any person who fails to comply with this provision is subject to damages in a civil action.